

# **Exhibit 3**

**From:** [Wohlforth, E. Evans](#)  
**To:** [Jeffrey Greenbaum](#); [Fang, Wayne](#); [Wolfson, Freda](#)  
**Cc:** [Sandick, Harry \(x2723\)](#); [globiondo@pbwt.com](#); [Katherine Lieb](#); [Katchen, Katherine M.](#); [Andrew Dunlap](#); [Meredith Nelson](#); [Elizabeth Snow](#); [Matthew Nussbaum](#); [JJSaveOn@pbwt.com](#); [Galli, Sabrina M.](#); [Aine Carolan](#)  
**Subject:** RE: 2:22-cv-02632-ES-CLW JOHNSON & JOHNSON HEALTH CARE SYSTEMS INC. v. SAVE ON SP, LLC  
**Date:** Tuesday, March 5, 2024 11:22:59 AM  
**Attachments:** [image007.png](#)

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Wayne and Jeff: Unfortunately, our lead counsel is away for the week March 25. It appears that unavailabilities are consecutive, not concurrent. SaveOnSP can be available April 2 and 3. April 5 in the morning is possible. Please let us know what works. Regards, Evans

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**From:** Jeffrey Greenbaum <JGREENBAUM@sillscummis.com>  
**Sent:** Tuesday, March 5, 2024 11:06 AM  
**To:** Fang, Wayne <WFang@lowenstein.com>; Wohlforth, E. Evans <EWohlforth@rc.com>; Wolfson, Freda <FWolfson@lowenstein.com>  
**Cc:** Sandick, Harry (x2723) <hsandick@pbwt.com>; globiondo@pbwt.com; Katherine Lieb <klieb@sillscummis.com>; Katchen, Katherine M. <kkatchen@rc.com>; Andrew Dunlap <adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; JJSaveOn@pbwt.com; Galli, Sabrina M. <SGalli@rc.com>; Aine Carolan <acarolan@selendygay.com>  
**Subject:** RE: 2:22-cv-02632-ES-CLW JOHNSON & JOHNSON HEALTH CARE SYSTEMS INC. v. SAVE ON SP, LLC

**CAUTION:**

**EXTERNAL EMAIL**

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Wayne:

Thank you. That day works for our side. My only conflict is a 12:30 status call with Magistrate Judge Clark in another case.

Jeff

**Jeffrey J. Greenbaum**

Member



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**From:** Fang, Wayne <[WFang@lowenstein.com](mailto:WFang@lowenstein.com)>

**Sent:** Tuesday, March 5, 2024 9:54 AM

**To:** Jeffrey Greenbaum <[JGREENBAUM@sillscummis.com](mailto:JGREENBAUM@sillscummis.com)>; Wohlforth, E. Evans

<[EWohlforth@rc.com](mailto:EWohlforth@rc.com)>; Wolfson, Freda <[FWolfson@lowenstein.com](mailto:FWolfson@lowenstein.com)>

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[JJSaveOn@pbwt.com](mailto:JJSaveOn@pbwt.com); Galli, Sabrina M. <[SGalli@rc.com](mailto:SGalli@rc.com)>; Aine Carolan <[acarolan@selendygay.com](mailto:acarolan@selendygay.com)>

**Subject:** RE: 2:22-cv-02632-ES-CLW JOHNSON & JOHNSON HEALTH CARE SYSTEMS INC. v. SAVE ON SP, LLC

**\*\*\* External Email \*\*\***

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Counsel:

Judge Wolfson is available by Zoom on March 28th. Please let me know if all counsel are available on that day. If so, I will send out a Zoom invite. Thank you.

Wayne

**Wayne Fang**

Senior Counsel

Lowenstein Sandler LLP

T: [\(862\) 926-2813](tel:(862)926-2813)



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**From:** Jeffrey Greenbaum <[JGREENBAUM@sillscummis.com](mailto:JGREENBAUM@sillscummis.com)>

**Sent:** Tuesday, March 5, 2024 9:21 AM

**To:** Fang, Wayne <[WFang@lowenstein.com](mailto:WFang@lowenstein.com)>; Wohlforth, E. Evans <[EWohlforth@rc.com](mailto:EWohlforth@rc.com)>; Wolfson, Freda <[FWolfson@lowenstein.com](mailto:FWolfson@lowenstein.com)>

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**Subject:** Re: 2:22-cv-02632-ES-CLW JOHNSON & JOHNSON HEALTH CARE SYSTEMS INC. v. SAVE ON  
SP, LLC

Wayne:

Mr Sandick is on vacation that week. We have been conferring with SaveOn to find a convenient date and suggested March 28 at at 10 or 2 pm but have not heard back yet. Is that convenient for Judge Wolfson?

Jeff

**Jeffrey J. Greenbaum**

Member

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**From:** Fang, Wayne <[WFang@lowenstein.com](mailto:WFang@lowenstein.com)>

**Sent:** Tuesday, March 5, 2024 7:35:51 AM

**To:** Wohlforth, E. Evans <[EWohlforth@rc.com](mailto:EWohlforth@rc.com)>; Wolfson, Freda <[FWolfson@lowenstein.com](mailto:FWolfson@lowenstein.com)>

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Sabrina M. <[SGalli@rc.com](mailto:SGalli@rc.com)>; Aine Carolan <[acarolan@selendygay.com](mailto:acarolan@selendygay.com)>

**Subject:** RE: 2:22-cv-02632-ES-CLW JOHNSON & JOHNSON HEALTH CARE SYSTEMS INC. v. SAVE ON  
SP, LLC

**\*\*\* External Email \*\*\***

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Counsel:

As noted in Judge Wolfson previous email, she intends to schedule a hearing on the following outstanding fully briefed motions: 1) claw back motion filed by Plaintiff; (2) Defendant's CAP motion related to Judge Waldor's November Order; and 3) Defendant's CAP motion related to search terms applicable to newly ordered custodians. Judge Wolfson will issue an order on Defendant's motion for reconsideration/clarification.

Judge Wolfson proposes the Zoom hearing to take place on March 18, 2024 at 11:30 am. Please advise whether the parties are available on that date and time.

Thank you.

Wayne

**Wayne Fang**

Senior Counsel

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**From:** Wohlforth, E. Evans <[EWohlforth@rc.com](mailto:EWohlforth@rc.com)>

**Sent:** Monday, March 4, 2024 7:50 PM

**To:** Fang, Wayne <[WFang@lowenstein.com](mailto:WFang@lowenstein.com)>; Wolfson, Freda <[FWolfson@lowenstein.com](mailto:FWolfson@lowenstein.com)>

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**Subject:** RE: 2:22-cv-02632-ES-CLW JOHNSON & JOHNSON HEALTH CARE SYSTEMS INC. v. SAVE ON SP, LLC

Your Honor and Mr. Fang: Please find attached Defendant SaveOnSP's Letter in further support of its motion for an Order regarding CAP terms and in reply to Plaintiff's opposition to the same. The Exhibits to this Letter appear in the following Dropbox link:

Link: <https://www.dropbox.com/scl/fo/0f4rd51920m9ezch7m6x2/h?rlkey=arym4s1br6b0ve29r2zw5sw1j&dl=0>

Password: ELTigfnh\*3294

Thank you for your kind attention to this submission. Please do not hesitate to contact me if you have any trouble with the attachment or exhibits, or if I can otherwise be of assistance. Regards, --Evans

**E. Evans Wohlforth Jr.**

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